

Remarks

Claims 1-9 and 20-25 are pending.

Claims 10-19 and 31-33 are canceled by this amendment. Note that claims 26-30 are listed as having been withdrawn by the Examiner, but have not yet been canceled by the Applicant. In the office action, claims 26-30 were not identified as being associated with one or the other of the distinct inventions identified in the restriction requirement, although it was later indicated that they had been withdrawn. If the Examiner could confirm that claims 26-30 are in invention II, directed to a video content server, Applicant will cancel these claims in the next communication.

Claims 1-9 and 20-25 are rejected under 35 USC 102(e) as being anticipated by Rosenberg et al. (US Patent Pub. No. US2002/0100041).

Rosenberg discloses a client unit having access to video content from a broadcaster 110, and access to ad information and other features from a server 102. This requires that the unit have 2 ports, one for the broadcaster and one for the server. See Figure 2 of Rosenberg, the connection between the broadcaster 110 and the video capture engine 131 and the connection between the server 102 and the asset manager 130. In the text, Rosenberg differentiates between these two connections. See paragraphs 0043 and 0044.

In contrast, the network termination unit of claims 1 and 20 only have one port 23 that is used to connect to a cable network that provides both the content, and if desired, the alternative content. This is supported in the specification on pages 5-6, among other locations, as well as Figures 2 and 3.

Claims 1 and 20 have been amended to clearly point out that the port 23 is the sole external source of the alternative content and the main content received by the NTU, as well as that the NTU is connected to a cable network. This is not obvious over the disclosure of

Rosenberg, as the client in Rosenberg relies heavily on its connection to the server, as well as the claimed invention allowing elimination of a necessary component of Rosenberg's system.

It is therefore submitted that claims 1 and 20 are patentably distinguishable over the prior art and allowance of these claims is requested.

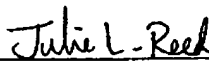
Claims 2-9 depend from claim 1 and claims 21-25 depend from claim 20. These claims inherently contain all of the limitations of their respective base claims. As discussed above, the prior art does not teach, show nor suggest all of the limitations of the base claim, much less the further embodiments of the dependent claims. It is therefore submitted that these claims are patentably distinguishable over the prior art and allowance of these claims is requested.

The prior art made of record and not relied upon has been reviewed and is not considered pertinent to Applicant's disclosure. No new matter has been added by this amendment. Allowance of all pending claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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